

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARL BLESSING, et al., on Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

-against-

SIRIUS XM RADIO INC.,

Defendant.

No. 09-cv-10035 (HB)(RLE)

**REPLY DECLARATION OF JAMES J. SABELLA IN SUPPORT OF
(1) PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF PROPOSED SETTLEMENT AND
(2) CLASS COUNSEL'S APPLICATION FOR AN
AWARD OF ATTORNEYS' FEES AND EXPENSES**

JAMES J. SABELLA hereby declares under penalty of perjury as follows:

1. I have been a member of the Bar of this Court for over 34 years and am a director of Grant & Eisenhofer P.A. ("Grant & Eisenhofer"), Co-Class Counsel. I make this declaration in further support of Plaintiffs' motion for final approval of proposed settlement and Class Counsel's application for an award of attorneys' fees and expenses, to respond to objections that have been submitted subsequent to July 14, 2011.

2. Attached hereto are the following materials referred to in Plaintiffs' accompanying Memorandum:

- Exhibit 1. FCC Memorandum Opinion and Order, July 27, 2011
- Exhibit 2. Reply comments of Sirius XM Radio Inc. submitted to the FCC
- Exhibit 3. Excerpts from Memorandum of Law in Support of Motion for Preliminary approval of Class Action Settlement in *Dupler v. Costco Wholesale Corp.*, No 06-CV-3141 (JFB) (E.D.N.Y.)

- Exhibit 4. Sirius XM Second Quarter 2011 Results
- Exhibit 5. Statement of charges from Rust Consulting
- Exhibit 6. Request for exclusion by Jeffrey Goe
- Exhibit 7. Excerpts from transcript of hearing on March 10, 2011 in *Blessing v. Sirius XM Radio Inc.*, No. 09-cv-10035 (HB) (S.D.N.Y.)
- Exhibit 8. Excerpt from Edward F. Siegel's website
- Exhibit 9. R. Meiser, *Edward Siegel is on a quest to either stop exorbitant lawyer payouts – or score some easy money*, Cleveland Scene, June 4, 2008
- Exhibit 10. Internet bio for Theodore Frank
- Exhibit 11. 2009 federal tax return for Donors Trust, Inc.
- Exhibit 12. Excerpt from the Project for Fair Representation website
- Exhibit 13. Notice of Appeal filed by Charles M. Thompson in *In re Currency Conversion Antitrust Litigation*, MDL No. 1409 (S.D.N.Y.)
- Exhibit 14. Memorandum of Law filed by Erlanger Law Firm in *American Medical Ass'n v. United Healthcare Corp.*, No. 00-cv-2800 (S.D.N.Y.)
- Exhibit 15. Objections filed by Robert E. Margulies in *In re American Int'l Group Inc. Sec. Litig.*, No. 04-cv-8141 (S.D.N.Y.); *McGee v. Continental Tire North America Inc.*, No. 06-cv-06234 (D.N.J.); and *In re Pet Food Products Liability Litig.*, No. 07-cv-02867 (D.N.J)
- Exhibit 16. Excerpts from www.nytrafficticket.com
- Exhibit 17. Appellee's motion to dismiss appeal in *CLRB Hanson Industries, LLC v. Weiss & Associates, PC*, No. 09-17380 (9th Cir.)

Done at New York, New York this 3rd day of August, 2011.

/s/ James J. Sabella
James J. Sabella